

Center for Children's Advocacy

TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY IN SUPPORT OF THE TRUANCY PROVISIONS IN RAISED BILL NO. 6499 *AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES*

This testimony is submitted on behalf of the Center for Children's Advocacy, a private, non-profit legal organization based at the University of Connecticut School of Law. The Center provides holistic legal services for poor children in Connecticut's communities through individual representation and systemic advocacy. This testimony has been written by Martha Stone, J.D., Executive Director of the Center for Children's Advocacy and Former Co-Chair of the Families With Service Needs (FWSN) Advisory Board, which was created by section 42 of Public Act 06-188, to address issues relating to juvenile status offenders, and Kathryn Scheinberg Meyer, J.D., Staff Attorney with the Educational Success Project at the Center for Children's Advocacy.

In 2008, the FWSN Advisory Board promulgated the "Report to the Connecticut Assembly"ⁱ, which includes "Recommendations Related to Truancy Prevention/Truancy Intervention"ⁱⁱ, one of which is explicitly set forth in Raised Bill No. 6499. These Recommendations had been developed by the Truancy Subcommittee of the Board, a group of educators, policymakers, truancy specialists, and advocates who were specifically tasked with addressing the unique needs of truant students and then ratified by the full Advisory Board, which included representatives from the Judicial Department, DCF, Office of Child Advocate, Commission on Child Protection, Juvenile Public Defenders Office, and others.

Raised Bill No. 6499, *An Act Concerning Minor Revisions to the Education Statutes*, will substantially **reduce truancy rates by enabling truant students to obtain access to services more quickly**. This will prevent further absences by an already at-risk population.

We support this bill for the following 3 reasons:

1. Currently, schools are required to file FWSNs after the failure of parental participation and community interventions. *However, schools often fail to do so* until students have racked up many more absences than are required to define a student as “truant.”ⁱⁱⁱ Schools are **not held accountable** for this failure, which makes it more difficult to enforce the law. A **clear timeline** would clarify expectations for the school system.
2. Because of the **delay in filing**, students may not even access services until far into the school year, as late as spring or even summer. Clinicians from programs that help truant students have testified to the fact that it is **far more difficult to engage students** so late into the year, especially when their programs are designed to work with and within the school systems.^{iv}
3. By mandating schools to **file FWSNs within a set number of days** of the failure of parental participation and community interventions to alleviate the absences of an identified truant student (as required by C.G.S. §10-198a^v), truant students will be able to **access CSSD and other agency services much sooner** than the current delayed system of filing. These services include: referral to Family Support Centers, educational advocacy, mental health services, afterschool programs, parenting classes, and other supports.

Raised Bill No. 6499 is a no-cost way to reduce the risk of educational failure for these students:

- Connecticut law already requires school districts to file FWSNs after the problem of truancy has not been alleviated; Raised Bill No. 6499 only creates a **clear timeline** for that filing to occur, and holds schools accountable to that timeline.

CCA urges the Education Committee to adopt the following amendments, which would strengthen the bill and address continued deficiencies in the truancy system:

1. **Change the number of days schools have to file from “30” to “15” calendar days**
 - The primary aim of this law is to ensure that children receive services more quickly—30 calendar days *after* the point at which a child has been truant *and* parents have failed to comply with intervention efforts extends the timeline too far to have the impact necessary to reach these truant children, many of whom have complex needs that require swift attention.

2. **Require schools to discuss the need to refer the truant student to a Planning and Placement Team (PPT) at their first meeting with the parent upon the child becoming “truant”**

- Truancy is one of the “red flags” of the “Child Find” laws and regulations^{vi}, which require school districts to identify children with disabilities who may be eligible for special education services. Truancy *alone* is supposed to trigger the school to refer a child to a Planning and Placement Team meeting. This referral requires parental contact, so requiring schools to discuss the need for a PPT at the truancy meeting streamlines the process and **ensures that children who are in need of special education services are provided these essential services more quickly.**
- By requiring schools to discuss the need to refer the student to a Planning and Placement Team meeting at the parent meeting held when a student is deemed “truant”, this amendment will help to establish a necessary component for proceeding with the special education process—**parental participation.**

3. **Require schools to report their truancy reduction efforts to the State Department of Education (SDE) and require the SDE to coordinate all CT truancy programs**

- Schools must be held accountable for their responsibility in addressing the problem of truancy. By requiring them to **report their efforts**, schools will be forced to take this issue more seriously.
- Current truancy reduction programs are disjointed and piecemeal; there is **no coordinating entity** to oversee efforts statewide. This entity is needed in order to **facilitate collaboration, monitor progress, and assist in developing effective programming.** The State Department of Education is best situated to take on this role.

In summary, we believe that requiring schools to file FWSNs within fifteen calendar days of a student becoming truant will result in the prompt provision of services to children who desperately need help. We believe that the truancy provisions in Raised Bill No. 6499, in addition to our suggested amendments, will achieve this goal.

Respectfully submitted,

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ⁱ The report can be found at: http://www.cga.ct.gov/kid/fwsn/fwsn_report_0208.pdf.

ⁱⁱ Id. at 66-69.

ⁱⁱⁱ C.G.S. §10-198a(a): "Truant" means a child age five to eighteen, inclusive, who...has four unexcused absences from school in any one month or ten unexcused absences from school in any school year. CSSD statistics from '08-'09 show a spike in FWSN filings in the months of March, April, and May.

^{iv} See Testimony for Raised S.B. No. 278 (2010), Maria Lamb and Amorette Howland.

^v C.G.S. §10-198a(c): "If the parent...fails to attend the meeting...or otherwise fails to cooperate with the school in attempting to solve the truancy problem, such policies and procedures shall require the superintendent of schools to file for each such truant enrolled in the schools under his jurisdiction a written complaint...alleging the belief that the acts or omissions of the child are such that his family is a family with service needs."

^{vi} C.G.S. § 10-76d(a)(1); CONN. AGENCY REGS. § 10-76d-7; see also 20 U.S.C. §1412(a)(3) (requires that states identify, locate and evaluate students with disabilities).